

DAC



ARK:jsg032307/1591757.RES

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant : Liban Yusuf
Serial No. : 09/752,988
Filed : January 2, 2001
For : LOTTERY TICKET PLAY ACTION GAME
Examiner : Derek L. Woods
Art Unit : 3711
Confirmation No. : 9844
Attorney Docket No. : 159.1.757

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OFFICE OF PETITIONS

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP PETITIONS, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450	
ON	March 23, 2007
NAME	Jill S. Garretson
SIGNATURE	<i>Jill S. Garretson</i>

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

March 23, 2007

RESPONSE TO CORRECTED DECISION DISMISSING

PETITION UNDER 37 C.F.R. 1.47(b) AND NOTICE OF ABANDONMENT

Dear Sir:

This is in response to the Decision identified above dated March 9, 2007.

Applicant's renewed Petition under 37 C.F.R. 1.47(b) filed on November 10, 2006 was dismissed on the ground that Applicant must file a Petition to Revive the Application under 37 C.F.R. 1.137(a) or (b) (see page 2 of the Decision).

This is to advise that Applicant's submission of November 10, 2006 included the required Petition to Revive. Accordingly, Applicant encloses herewith copies of the Petition to Revive, the Transmittal Letter referring to the Petition to Revive and the return receipt postcard showing that the Petition to Revive was received by the Patent and Trademark Office as evidenced by the date stamp of November 15, 2006.

It is therefore submitted that the Decision to dismiss Applicant's Petition is improper and should be withdrawn.

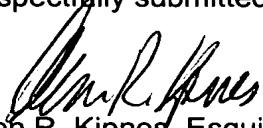
Pursuant to a telephone conversation between the undersigned and the Office of Petition's Attorney, Derek L. Woods, the present submission is deemed fully responsive to the Decision and if anything further is required, the undersigned should be contacted as soon as possible.

In view of the foregoing, Applicant submits that the Decision dismissing the Petition under 37 C.F.R. 1.47(b) should be withdrawn and full consideration of the renewed Petition under 37 C.F.R. 1.47(b) filed on November 10, 2006 should be undertaken.

ARK:jsg032307/1591757.RES

It is believed that no fee is due in connection with this matter. However, if any fee is due, it should be charged to Deposit Account No. 23-0510.

Respectfully submitted,

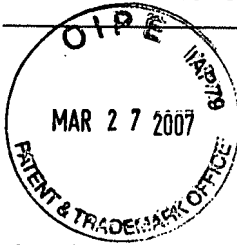


Allen R. Kipnes, Esquire
Registration No. 28,433
Attorney for Applicant

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(609) 243-0330



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BY:-----

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MAR 09 2007

OFFICE OF PETITIONS

In re Application of
Liban Yusuf
Application No. 09/752988
Filing or 371(c) Date: 01/02/2001
Attorney Docket Number: 159.1.757

: CORRECTED
: DECISION DISMISSING
: PETITION UNDER
: 37 CFR 1.47(b)
: AND NOTICE of
: ABANDONMENT

RECEIVED

MAR 30 2007

OFFICE OF PETITIONS

This is in response to the Renewed Petition Under 37 CFR 1.47(b), filed November 10, 2006, to allow a person to whom an inventor has assigned or agreed in writing to assign the invention, or who otherwise shows sufficient proprietary interest in the matter justifying such action, to make application on behalf of and as agent for all inventors.

The petition is dismissed.

Rule 47 applicant is given TWO (2) MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(b)", and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor(s). Failure to respond will result in abandonment of the application. Any extensions of time will be governed by 37 CFR 1.136(a).

The above-identified application was filed January 2, 2001, without an executed oath or declaration. In response, this Office mailed a Notice to File Missing Parts of Nonprovisional Application ("Notice") on March 6, 2001, requiring, *inter alia*, a fully executed oath or declaration.

In response to the Notice, Applicant filed a petition on September 7, 2001, to allow a person to whom an inventor has assigned or agreed in writing to assign the invention, or who otherwise shows sufficient proprietary interest in the matter justifying such action, to make application on behalf of and as agent for all inventors.

The petition was dismissed in a Decision mailed December 12, 2002. The Decision dismissing the petition informed Applicant that "[a]ny request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mailing date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted."

Applicant files the present petition and a request for a four (4) month extension of time.

Applicant is advised that the application is ABANDONED.

Applicant must file a petition to revive the application under 37 CFR 1.137(a) or (b). A grantable petition under 37 CFR 1.137 must include the required reply which, in this instant, is a grantable petition under 37 CFR 1.147.


Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 PO Box 1450
 Alexandria, VA 22313-1450

By FAX: (571) 273-8300
 Attn: Office of Petitions

By hand: Customer Service Window
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.


Derek L. Woods
Attorney
Office of Petitions



Serial No. 09/752,988 Filed: January 2, 2001 Atty. Docket No. 159.1.757
Applicant(s) Liban Yusuf Attorney: Allen R. Kipnes
Title Lottery Ticket Play Action Game

Mailed by: Jill A. Havelson Date: November 10, 2006
Return of this postcard properly stamped will acknowledge receipt of:

☐ Patent Application

☐ Provisional ☐ Regular ☐ CIP including

☐ Pgs. Spec & Abstract

☐ Pages of Claims

☐ Sheets of Drawings

☐ Formal ☐ Informal

☐ 37 CFR 1.51(b) Utility Application

☐ Divisional ☐ Continuation

☐ 37 CFR 1.53(d) CPA Application

☒ Transmittal Letter

☐ Auth. to Charge Dep. Account

☐ Preliminary Amendment

☐ Assignment for Recording

☒ Declaration/Power of Attorney

☐ Small Entity Declaration

☒ Check No. 14247 in the amount of \$ 3,090.00

☐ Check No. _____ in the amount of \$ _____

☒ Petition For Revival Of Patent Application

☒ Renewed Petition Under 37 CFR 1.51(b)

☒ Declaration of ARK ☒ Declaration of C. Lambert

☐ Request for Correction of Drawings

☐ Response or ☐ Amendment to Office Action

☒ Petition to Extend 5 Months

☐ Decls. or Affs. under 37 CFR _____

☐ Notice of Appeal

☐ Appeal Brief in Triplicate

☐ Petition under 37 CFR _____

☐ Info. Disclosure, _____ References

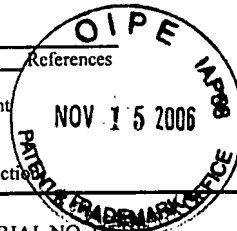
☐ Supplemental Oath or Decl.

☐ 37 CFR 1.116/1.312 Amendment

☐ Issue Fee Transmittal

☐ Maintenance Fee Transmittal

☐ Request for Certificate of Correction



PLEASE STAMP US SERIAL NO. HERE

MAR 27 2007

TRANSMITTAL LETTER
(General - Patent Pending)Docket No.
159.1.757

In Re Application Of: Zuban Yusuf

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/752,988	January 2, 2001	Unknown	N/A	3711	9844

Title:

LOTTERY TICKET PLAY ACTION GAME

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COMMISSIONER FOR PATENTS:

MAR 30 2007

Transmitted herewith is:

OFFICE OF PETITIONS

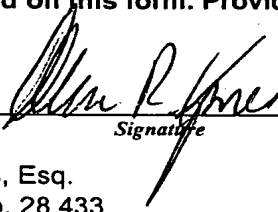
Petition for Revival of an Application for Patent Abandoned Unintentionally; Renewed Petition Under 37 C.F.R. 1.47(b) and corresponding papers; Petition for Extension of Time Under 37 C.F.R. 1.136(a); check and postcard.

in the above identified application.

- ☐ No additional fee is required.
- ☒ A check in the amount of \$3,090.00 is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 23-0510 as described below.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

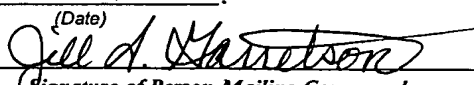
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Dated: November 10, 2006

Allen R. Kipnes, Esq.
Registration No. 28,433WATOV & KIPNES, P.C.
P.O. Box 247
Princeton Junction, New Jersey 08550
(609) 243-0330
(609) 275-1010 - Facsimile

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on November 10, 2006	
(Date)	
Signature of Person Mailing Correspondence	
Jill S. Garretson	
Typed or Printed Name of Person Mailing Correspondence	

cc: